

PATENT

Docket No. 312762001800

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Marian Christopher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ming ZHAO *et al.*

Serial No.: 09/427,699

Filing Date: 27 October 1999

For: TREATMENT OF ALOPECIA

Examiner: Shin-Lin Chen, Ph.D.

Group Art Unit: 1632

**EXPEDITED PROCEDURE --
EXAMINING GROUP 1632**

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SECOND AMENDMENT UNDER 37 C.F.R. §1.116

BOX AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This amendment is submitted in further response to the Final Office Action dated October 10, 2001. The time in which to respond expired January 10, 2002 and a Petition for 2 Month Extension of Time, extending the time for response from January 10, 2002 to March 10, 2002, is attached hereto along with the required fee.

The considered claims, 1-5 and 7-12, were rejected. Careful consideration has been given to the grounds for rejection and the following discussion and amendment is offered in response.

Corres. and Mail
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PTO/SB/21 (08-00)
Approved for use through 10/31/02 OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

9

Application Number

09/427,699

Filing Date

27 October 1999

First Named Inventor

Ming ZHAO

Group Art Unit

1632

Examiner Name

Shin-Lin Chen, Ph.D.

Attorney Docket No.

312762001800

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ENCLOSURES (check all that apply)

☒ Fee Transmittal Form (original + duplicate)

☐ Fee Attached

☒ Amendment / Reply (3 pages)

☒ After Final

☐ Affidavits/declarations

☒ Extension of Time Request (1 page)

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation

☐ Terminal Disclaimers (2)

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

1. Petition to Correct Inventorship (2 pages);
2. Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Carolyn A. Favorito, Reg. No. 39,183

Morrison & Foerster LLP

3811 Valley Centre Drive, Suite 500

San Diego, California 92130-2332

Signature

[Handwritten Signature]

Date

March 5, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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[Handwritten Signature]
Marian Christopher

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

sd-78393

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**FEE TRANSMITTAL
FOR FY 2001**

MAR 25 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/427,699
Filing Date	27 October 1999
First Named Inventor	Ming ZHAO
Examiner Name	Shin-Lin Chen, Ph.D.
Group Art Unit	1632
Attorney Docket No.	312762001800

TOTAL AMOUNT OF PAYMENT**(\$)**330.00**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
* -20 =	x	= \$	
Independent Claims -3 =	x	= \$	
Multiple Dependent		= \$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claims, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	\$200
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	\$130
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
				Publication Fee	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Carolyn A. Favarito	Registration No. (Attorney/Agent)	39,183	Telephone	(858) 720-5195
Signature	<i>[Signature]</i>	Date	March 9, 2002		

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